

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of Columbia

2:13-mj-882-VCF

United States of America

v.

MARC ADAM

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 1, 2013 in the county of _____ in the
_____ District of Columbia, the defendant(s) violated:

Code Section

18 U.S.C. § 3184

Offense Description

Fugitive from foreign country

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
NOV - 4 2013	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: _____	DEPUTY

This criminal complaint is based on these facts:

SEE AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

☒ Continued on the attached sheet.

Complainant's signature

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/01/2013

Judge's signature

City and state: Washington, D.C.

U.S. Magistrate Judge Deborah A. Robinson

Printed name and title

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

IN THE MATTER OF)
THE EXTRADITION OF)
MARC ADAM)
TO CANADA)
_____)

Misc. No. _____

COMPLAINT FOR PROVISIONAL ARREST
WITH A VIEW TOWARDS EXTRADITION
(18 U.S.C. §3184)¹

I, the undersigned Assistant United States Attorney, being duly sworn, state on
information and belief that the following is true and correct:

1. In this matter, I represent the United States in fulfilling its treaty obligation to the
Government of Canada (the "Requesting Satte").
2. There is an Extradition Treaty, as amended by Protocols, in force between the United
States and Canada, 27 UST 983, TIAS 8237.
3. The treaty provides in Article 11 for the provisional arrest and detention of alleged
fugitives pending the submission of a formal request for extradition and supporting documents.
4. In accordance with Article 11 of the Treaty, the Government of Canada has asked the
United States for the provisional arrest of Marc Adam with a view towards his extradition.
5. According to the information provided by the Requesting State, Marc Adam was charged

¹ Title 18, United States Code, Section 3184 provides that "[w]henver there is a treaty or convention for extradition between the United States and any foreign government . . . , any justice or judge of the United States, may upon complaint made under oath, charging any person found within his jurisdiction, with having committed within the jurisdiction of any such foreign government any of the crimes provided for by such treaty or convention . . . , issue his warrant for apprehension of the person so charged." Section 3184 further provides that "[s]uch complaint may be filed before and such warrant may be issued by a judge or magistrate judge of the United States District Court for

on October 29, 2013, in the District of Kamouraska in the Province of Québec with one count of abduction of his two children in contravention of section 283 of the *Criminal Code* of Canada.²

A warrant was issued for the arrest of Marc Adam.

6. The warrant was issued based on the following facts: On October 28, 2013, Solange Bergeron contacted investigators from the Gatineau City Police Department, which is located in the province of Québec. She reported to the investigators that she has been married to Marc Adam since 1998, and that they have two children together, Ali Adam (13 years-old) and Nader Adam (11 years-old). On October 28, 2013, Marc Adam left Canada with the two children in his Sienna Toyota vehicle, license plate K06 FXN (Québec), for the United States, without consent of, or notifying, the mother. Ms. Bergeron further advised that on October 28, 2013, she spoke with Marc Adam, who advised that he was going to California. She repeatedly asked him to return the children. He refused. The Canadian investigators confirmed with United States Customs and Enforcement Protection that Marc Adam entered the United States on October 28, 2013, at Ogdensburg, in New York.

7. The offense for which Marc Adam has been charged is provided for in Article 2 of the extradition Treaty cited above.

8. Marc Adam's exact location is currently unknown, but he is believed to be en route to Los Angeles, California. Marc Adam told his wife in their telephone conversation of October 28

the District of Columbia if the whereabouts within the United States of the person charged are not known or, if there is reason to believe the person will shortly enter the United States."

² Section 283 of the Criminal Code of Canada makes unlawful the following conduct: "Every one who, being the parent, guardian or person having lawful care or charge of a person under the age of fourteen years, takes, entices away, conceals, detains, receives or harbours that person, whether or not there is a custody order in relation to that person made by a court anywhere in Canada, with intent to deprive a parent or guardian, or any other person who has the lawful care and charge of that person, of the possession of that person, is guilty of: (a) an indictable offence and is liable to imprisonment for a term not exceeding ten years; or (b) an offence punishable on summary conviction."

that he was going to Los Angeles, California. On October 31, 2013, Canadian authorities received information from one of the classmates of one of the abducted boys stating the father and children were in St. Louis, Missouri.

9. The Requesting State has represented that it will submit a formal request for extradition, supported by the documents specified in the Treaty, within the time required under the Treaty.

10. The person named above would be likely to flee if he learned of the existence of a warrant for his arrest and is currently in flight with his children.

WHEREFORE, the undersigned complainant requests that a warrant for the arrest of the person named above be issued in accordance with Title 18, United States Code, Section 3184, and the Extradition Treaty between the United States and Canada, and that this complaint and the warrant be placed under the seal of the court, except as disclosure is needed for its execution, until such time as the warrant is executed.

Assistant United States Attorney

Sworn to before me and subscribed in my presence this ____ day of _____, 2013, at _____.

United States Magistrate/Judge